

NOTICE OF OPEN MEETING

AGENDA

11th Meeting

DATE: Tuesday, August 21, 2012

TIME: 9:00 a.m.

PLACE: Rhode Island Ethics Commission

Hearing Room - 8th Floor

40 Fountain Street

Providence, RI 02903

1. Motion to approve minutes of Open Session held on July 17, 2012.

2. Recognition of former Commissioner J. William W. Harsch.

3. Advisory Opinions:

a.) Brian M. Daniels, the Director of Performance Management in the Office of the Governor, requests an advisory opinion regarding

whether the Code of Ethics prohibits him from accepting a position as the Director of Performance Management within the newly created Office of Management and Budget in the Department of Administration.

b.) George Muksian, Chief Legal Counsel for the Rhode Island Department of Elementary and Secondary Education, requests an advisory opinion regarding whether members of a governing body or board of a charter school are persons subject to the provisions of the Code of Ethics.

c.) George McKinnon, a member of the Smithfield Zoning Board of Review, requests an advisory opinion regarding whether the Code of Ethics prohibits him from participating in the Zoning Board's consideration of a special use permit application involving a coffee shop that is his employer's tenant's competitor.

d.) Mario Carlino, a member of the Board of the Narragansett Bay Commission, requests an advisory opinion regarding whether the Code of Ethics prohibits his participation in discussion and voting relative to construction projects involving DiGregorio, Inc., given that his godfather's son has an ownership interest in the business.

e.) Rose Marie Cipriano, a member of the Smithfield Financial Review Commission, requests an advisory opinion regarding whether the Code of Ethics prohibits her from being a plaintiff in a lawsuit against

the State of Rhode Island and the Employees' Retirement System of Rhode Island.

f.) Peter Baute, MD, a New Shoreham Town Council member, requests an advisory opinion regarding how to manage and avoid potential conflicts of interest involving the Town Council's consideration of matters involving Block Island Health Services, a non-profit which receives an annual subsidy from the Town of New Shoreham, given that he is currently the interim administrator of Block Island Health Services.

4. Continued discussion of and potential vote re: Common Cause Rhode Island's request to initiate rulemaking – Disclosure of travel/gifts.

5. Discussion re: Statute of limitations for ethics violations.

6. Director's Report:

a.) Docket Status Update.

7. Motion to go into Executive Session, to wit:

a.) Motion to approve minutes of Executive Session held on July 17, 2012, pursuant to R.I. Gen. Laws § 42-46-5(a)(2) and (4).

b.) Discussion re status of pending litigation: Joseph S. Larisa, Jr. v. Rhode Island Ethics Commission et al., C.A. No. PC11-6938, pursuant to R.I. Gen. Laws § 42-46-5(a)(2).

c.) Motion to return to Open Session.

8. Motion to seal minutes of Executive Session held on August 21, 2012

9. Report on actions taken in Executive Session.

10. New Business proposed for future Commission agendas and general comments from the Commission.

11. Adjournment.

ANYONE WISHING TO ATTEND THIS MEETING WHO MAY HAVE SPECIAL NEEDS FOR ACCESS OR SERVICES SUCH AS A SIGN LANGUAGE INTERPRETER, PLEASE CONTACT THE COMMISSION BY TELEPHONE AT 222-3790, 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING.

THE COMMISSION ALSO MAY BE CONTACTED THROUGH RHODE ISLAND RELAY, A TELECOMMUNICATIONS RELAY SERVICE, AT 1-800-RI5-5555.

Posted on August 16, 2012